

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 6 – SB 570

April 9, 2013

**SUMMARY OF ORIGINAL BILL:** Authorizes faculty or staff members to possess firearms on school property provided certain requirements are met. Individuals possessing firearms on school property must: be authorized to possess and carry a firearm pursuant to Tenn. Code Ann. § 39-17-1351; have written permission from the director of schools; have successfully completed a 40-hour training course in basic school police training at least 12 months prior to seeking carry authorization; and use only frangible bullets or other ammunition approved by the Peace Officers Standards and Training Commission for use in a confined space. Requires all training to be approved by the local education agency (LEA) and any training expenses shall be paid by the trainee. Holds LEAs harmless from liability in any civil action for damages, injuries, or death that may result from a faculty or staff member's actions involving a firearm on school property, unless the local board of education or superintendent knew of or intentionally solicited or procured the action from which harm resulted.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures – Exceeds \$1,000,000/Permissive

**SUMMARY OF AMENDMENTS (006147, 006607):** Amendment 006147 deletes and rewrites the bill such that the only substantive changes are to authorize personnel to be assigned to a school through a memorandum of understanding between a local education agency (LEA) and the chief of an appropriate law enforcement agency; to require any person carrying weapons on school property to be a law enforcement officer or be a prior law enforcement officer; and to delete the requirement that only frangible ammunition or similar ammunition be used in weapons on school property. Amendment 006607 states that nothing in Tenn. Code Ann. § 49-3-315 shall be construed to require a local education agency or county law enforcement agency to assign a school resource officer to any city school system located within the county on the basis of the weighted full-time equivalent average daily attendance (WFTEADA). Directs that the providing of security or school resource officers by a county sheriff shall be considered a law enforcement function and shall not be considered a school operation or maintenance purpose that would require an apportionment of funds pursuant to Tenn. Code Ann. § 49-3-315.

## **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

### **Increase Local Expenditures – Exceeds \$2,000,000/Permissive**

Assumptions for the bill as amended:

- According to the Department of Safety, there will not be a significant increase in the number of applications for a handgun carry permit. Any increase in state revenue is estimated to be not significant.
- According to the Department of Education, additional insurance will be purchased by LEAs that elect to authorize employees to carry firearms on school property. The permissive increase in LEA expenditures for additional insurance is estimated to exceed \$1,000,000.
- Additional law enforcement personnel may be hired through memorandums of understanding. According to the Department of Education, expenses for a full-time school resource officer (SRO) range from \$50,000 to \$75,000 with salary, benefits, training, and equipment.
- Minimum recurring expenses of \$50,000 per SRO.
- There are 1,784 schools and an estimated 700 SROs.
- If 20 additional SROs were hired by LEAs through memorandums of understanding, the permissive increase in local expenditures is estimated to be \$1,000,000 (\$50,000 x 20).
- Any increase in local government expenditures for additional litigation fees cannot be reasonably quantified.
- The total permissive and recurring increase in local government expenditures is estimated to exceed \$2,000,000 (\$1,000,000 for insurance + \$1,000,000 for personnel).
- Retired law enforcement officers who are members of the Tennessee Consolidated Retirement System and who are authorized to carry firearms on school grounds under the requirements of this bill as amended will not be authorized to draw retirement benefits while they are employed by the LEA or law enforcement agency.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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